

GALLAGHER

Serial No. 09/744,818

Amendment After Final Rejection dated December 23, 2003

Reply to Office Action dated October 3, 2003

REMARKS

Upon entry of this amendment, claims 12-15 and 21 are pending. By the present amendment, claims 11 and 16-20 have been canceled without prejudice or disclaimer as to the subject matter contained therein. Favorable reconsideration of the application is respectfully requested.

Entry of this amendment is proper under 37 C.F.R. §1.116, because the amendment merely cancels rejected claims without prejudice, leaving only allowed claims pending. Accordingly, entry of the amendment is proper, which action is earnestly solicited.

Applicant appreciates the Examiner's indication that claims 12-15 and 21 are allowed. As such, no further comment will be made with respect to the allowed claims.

The rejection of claims 11 and 16-20 under 35 U.S.C. §102(e) over Woodruff et al.(U.S. Patent No. 6,484,578, hereinafter "Woodruff") is respectfully traversed. Without acquiescing in the rejection, claims 11 and 16-20 have been canceled without prejudice or disclaimer as to the subject matter contained therein. Applicant reserves the right to file a divisional and/or continuation application directed to the subject matter of these canceled claims. As such, the rejection of claims 11 and 16-20 is moot. Therefore, reconsideration and withdrawal of the rejection are respectfully requested.

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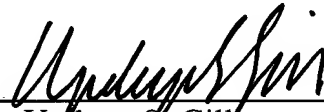
In view of the foregoing, it is respectfully submitted that the entire application is in condition for allowance. Favorable reconsideration of the application and prompt allowance of the claims are earnestly solicited.

Should the Examiner deem that further issues require resolution prior to allowance, the Examiner is invited to contact the undersigned attorney of record at the telephone number set forth below.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


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